



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 7, 2021

BY ECF

The Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
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Re: *United States v. Dimitrios Lymberatos*, 21 Cr. 170 (MKV)

Dear Judge Vyskocil:

The parties submit this joint status update letter in advance of the June 10, 2021 status conference currently scheduled in the above-captioned matter.

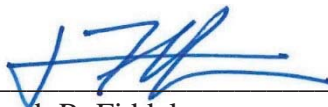
This matter was previously adjourned to permit the parties to engage in discussions regarding the possible pretrial resolution of both this pending case and a broader set of matters involving the defendant that are currently under investigation by the Government. Those discussions have meaningfully progressed but have been slowed by the defendant's recent commencement of an in-patient medical detoxification and substance abuse treatment/rehabilitation program. The defendant has been in in-patient treatment for approximately 30 days so far and is doing well. The parties' efforts towards a possible resolution continue.

Accordingly, the parties jointly request that the Court adjourn the upcoming status conference for 90 days. The parties also request the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), in the interests of justice from today's date until the adjourn date selected by the Court. The ends of justice served by such a continuance outweigh the interests of the defendant and the public in a speedy trial because the continuance will allow the defendant to continue receiving necessary substance abuse treatment, will allow the parties to continue their discussions regarding a possible pretrial disposition, will ensure the effective representation of

counsel, and will reflect that temporary limitations on the scheduling of jury trials in this District occasioned by the COVID-19 pandemic. The defendant consents to the requested exclusion.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

by: 
Jacob R. Fiddelman
Assistant United States Attorney
(212) 637-1024

cc: Defense counsel (by ECF)

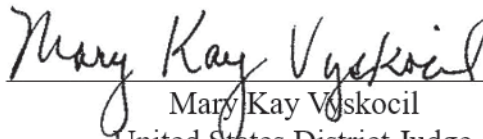
The parties' request for an adjournment is GRANTED.

IT IS HEREBY ORDERED that the status conference scheduled for June 10, 2021, at 11:00 AM is adjourned to September 14, 2021, at 11:30 AM. The parties shall submit a joint status letter on or before September 7, 2021.

IT IS FURTHER ORDERED that all time under the Speedy Trial Act be excluded from June 10, 2021, to September 14, 2021. Given the need for Defendant to continue receiving necessary substance abuse treatment, the need for the parties to continue their discussions regarding a possible pretrial disposition of the charges, and the continued limitations on the scheduling of jury trials in this District due to the COVID-19 pandemic, the Court finds that the ends of justice served by excluding all time from June 10, 2021, to September 14, 2021, outweigh the interest of the public and Defendant in a speedy trial.

SO ORDERED.

Date: 6/7/2021
New York, New York


Mary Kay Vyskocil
United States District Judge